IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 17858 of 2004

Between:

1.Sri Sairam General Merchant D. No. 2-177, Muktyala road, Jaggaiahpet,

Krishna District rep by Proprietor, T. Sriramachandragupta S/o Rangarao
2.Sri Maruthi Enterprises, D. No. 13-122, Muktayala Road Jaggaiahpet, Krishna

District rep by Proprietor Tummalapalli Ranga Rao

..... PETITIONERS

AND

1.Station House Officer Prohibition & Excise Police Station, Jaggaiahpet,

Krishna District
2.The Superintendent Prohibition & Excise Department Krishna District, at

Machilipatnam

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ or direction preferably writ of mandamus declaring the action of the respondent No.1 in harassing and interfering with the transport of Block Jaggery without initiating any action as per law, as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents not to disturb the business affairs of the petitioners.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following:

ORDER:

Petitioners seek a writ of Mandamus declaring the alleged action on the part of the first respondent in harassing and interfering with the transport of Black Jaggery without initiating any action as per law, as arbitrary and illegal.

Having heard the learned counsel for the petitioners and the learned Government Pleader for Home appearing for the respondents, the writ petition is disposed of with a direction to the respondents not to interfere with the transport of the Black Jaggery without following due process of law.

It is made clear that in case it is found that the petitioners are indulging in any unlawful activities, it is open to the respondents to initiate appropriate action in accordance with the provisions of law.

26.10.2004

VGB

To

1.The Station House Officer Prohibition & Excise Police Station, Jaggaiahpet,

Krishna District
2.The Superintendent Prohibition & Excise Department Krishna District, at

Machilipatnam

3.2CCs to the Government Pleader for Home, High Court Buildings,

Hyderabad (OUT)

4.2CD copies